



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SDMS DocID

2126854

ORIGINAL

MAY 30 2008

INFORMATION REQUEST

URGENT LEGAL MATTER: PROMPT REPLY REQUIRED

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Sumitomo Machinery Corp. of America
4200 Holland Boulevard
Chesapeake, VA 23323

**Re: Peck Iron and Metal Site
Portsmouth, Virginia**

Dear Sir or Madame:

EPA has obtained information which suggests that Sumitomo Machinery Corp. of America (hereinafter "you" or "your company") arranged for the disposal of scrap materials which may have contained hazardous substances, pollutants or contaminants at the Peck Iron and Metal Site at 3850 Elm Avenue in Portsmouth, Virginia (the "Site").

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9604(e), EPA has the authority to require your company to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of your company's employees or agents, which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. §9601(14), pollutants and/or contaminants as defined by Section 101(33) of CERCLA, 42 U.S.C. §9601(33), which were transported to, stored, treated, or disposed of at the Peck Iron and Metal Site.

Section 104(e) of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject your company to criminal penalties under 18 U.S.C. §1001. The information your company provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information are provided below.

INSTRUCTIONS

1. Your company is entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure 1, Business Confidentiality Claims/Disclosure to



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Customer Service Hotline: 1-800-438-2474